

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12252 of Gertude C. Cummings, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a use variance (Section 3103) to permit the operation of a rooming house with five or less persons in the R-3 District at 5418 Kansas Avenue, N.W. (Square 2330, Lot 2)

HEARING DATE: December 15, 1976

DECISION DATE: December 21, 1976

DISPOSITION: Application denied by a vote of 3-0 (William F. McIntosh, Richard L. Stanton, William S. Harps)

FINAL DATE OF ORDER: May 13, 1977

ORDER

Upon consideration of the applicant's Motion for Reconsideration dated May 31, 1977, the Board finds that the Motion fails to state an acceptable basis of error on the part of the Board to support a Motion for Reconsideration. It is therefore ORDERED that the Motion for Reconsideration be DENIED.

DECISION DATE: July 12, 1977

VOTE: 4-0 (Leonard L. McCants, Esq., Charles Norris, William F. McIntosh, Chloethiel W. Smith)

BY ORDER OF D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____

Steven E. Sher
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 15 JUL 1977

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12252 of Gertrude C. Cummings, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a use variance (Section 3103) to permit the operation of a rooming house with five or less persons in the R-3 District at 5418 Kansas Avenue, N.W. (Lot 2, Square 2330).

HEARING DATE: December 15, 1976

DECISION DATE: December 21, 1976

FINDINGS OF FACT:

1. The property is located in the R-3 District.
2. Applicant currently has four (4) roomers living with her in the property.
3. Applicant presented no evidence of hardship.

CONCLUSIONS OF LAW AND OPINION

Applicant seeks a use variance which requires a showing of hardship bordering on an economic taking. The Board is of the opinion that the applicant has failed to make the required showing. It is therefore ORDERED that this application is hereby DENIED.

VOTE: 3-0 (William F. McIntosh, Richard L. Stanton, William Harps).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: _____



ARTHUR B. HATTON
Secretary to the Board

FINAL DATE OF ORDER: 5-13-77